



Atty. Docket No. 003364.P001

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Lmsj  
8-10-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 09 2001

In re Application for:

Sun-Young Kim, et al.

Serial No. 09/029,042

Filed: May 15, 1998

For: **HETEROLOGOUS PROTEIN  
PRODUCTION SYSTEM  
USING AVIAN CELLS**

Examiner: Andres, J.

TECH CENTER 1600/2900

Art Group: 1646

Box Amendments - Fee  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)  
AND  
AMENDMENT AND RESPONSE TO OFFICE ACTION**

Dear Sir:

In accordance with 37 C.F.R. 1.136(a), the Applicant for the above-identified application respectfully petitions the Commissioner for a one (1) month extension of time, extending the period for response to August 1, 2001 from an outstanding Office Action dated June 1, 2001. The petition fee of \$110.00 is submitted herewith. Please credit any overpayment or charge any additional amount due to Deposit Account 02-2666. A duplicate of the fee transmittal sheet is submitted herewith.

In response to the Office Action dated June 1, 2001, Applicants respectfully request entry of the amendments set fourth below and consideration of the remarks which follow.

08/08/2001 HHOLDER1 00000023 09029042

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/029,042

Filing Date May 15, 1998

First Named Inventor Sun-Young Kim

Group Art Unit 1646

Examiner Name J. Andres

Attorney Docket Number 3364P001

Total Number of Pages in This Submission

10

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## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form☒ Fee Attached☒ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☒ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Return Postcard

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Eric S. Hyman, Reg. No. 30,139

BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN

Signature

Date

August 1, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 1, 2001

Typed or printed name

Diane Martinez

Signature

Diane Martinez

Date

08/01/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 110.00

## Complete if Known

Application Number 09/029,042  
Filing Date 05/15/98  
First Named Inventor Sun-Young Kim, et al.  
Examiner Name J. Andres  
Group Art Unit 1646  
Attorney Docket Number 3364P001

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AUG 09 2001

TECH CENTER 1600/2900

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

- ☒ Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. FILING FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
21	X		
7	X		

Multiple Dependent Claims

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple Dependent claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	110
116	390	216	195	Extension for response within second month	
117	890	217	445	Extension for response within third month	
118	1,390	218	695	Extension for response within fourth month	
128	1,890	228	945	Extension for response within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidably	
141	1,240	241	620	Petition to revive - unintentionally	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL (3) (\$) 110.00

\* Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Typed or Printed Name

Eric S. Hyman, Reg. No. 30,139

Signature

*Eric S. Hyman*

Date

8/1/2001

## Complete (if applicable)

Reg. Number

Deposit Account User ID

02-2666

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